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May 24, 1996

BY MESSENGER

Mr. William F. Caton, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Network-Affiliate Rules, MM Docket 95-92

Dear Mr. Caton:

The CBS Television Network Affiliates Association hereby provides copies of the attached letters that have been sent by certain members of the Association to Chairman Hundt and the Commissioners. Although only one copy of each letter is provided with this letter, copies that were provided to each office are identical in all aspects other than the address and salutation.

Please direct any inquiries concerning this matter to the undersigned.

Very truly yours,

Kurt A. Wimmer

Attorney for the CBS
Television Network
Affiliates Association

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VIA FAX (and mail)

May 23, 1996

The Honorable Rachelle B. Chong
Commissioner
Federal Communications Commission
1919 M Street, N.W. - Room 832
Washington, DC 20054

Dear Rachelle:

As I have told you in past conversations, I strongly believe you need to retain the network-affiliate rules. Let me give you some background:

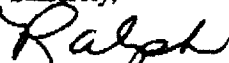
As you know, these rules were established to ensure that stations have the opportunity to offer diverse programming in the spirit of "localism" while remaining economically viable. In fact, they are the only protection local stations have to retain this right in programming not addressed in the networks/stations' contracts. The proposal to retain the "right-to-reject" rule - but to permit the networks to stop affiliates from making so-called "economic preemptions" (preemptions that cannot be classified as "public interest" programming) - would, in essence, equate to handing over the stations' programming rights to the networks. This new scheme would be very burdensome for the stations - and, subsequently, for the FCC and the courts - since the networks would be highly motivated to dispute all preemptions in their efforts to force the affiliates to carry the entire network schedule.

If these rules are modified or eliminated, it will devastate the affiliates' ability to serve their local communities by airing various telethons, local sports events, local public affairs and news programs, programming that better serves their community - and to reject programming they believe is contrary to the public interest.

As you consider changing these network-affiliate rules on June 12, I hope you will remember, particularly, the Children's Miracle Network Telethon aired by affiliates across America on June 1 and 2 and the tremendous service provided to the local communities. The reasoning is simple - without the right to preempt for local programming that would be deemed an "economic preemption," television stations would not be able to give free air time to charitable organizations.

On behalf of the affiliates, and the communities served, I implore you to ensure the "right-to-reject" rule remains as stated.

Sincerely,



Ralph W. Gabbard
Chairman - CBS Affiliates Advisory Board
President - Gray Communications Systems, Inc.

RWG/pt

May 21, 1996

The Honorable Reed Hundt
Chairman
Federal Communications Commission
Washington, DC

VIA FACSIMILE & MAIL

Dear Chairman Hundt,

I have just learned that the Commission may soon discuss modifying or even eliminating the rules that govern the relationship between a national network and its affiliated stations. It must be stressed that many of the rules are in place, first, because they are not addressed in contracts between the networks and stations; and, second, because they are the only protection local stations have to retain the right to program in the best interests of their local communities.

This is especially true of the rule that allows stations the right to reject network programming. While the networks know that it would be anathema to suggest that stations should be prevented from preempting for important news or political debates, some also suggest that we should not be able to preempt for "economic" reasons. If the right to reject rule were to be modified to prevent economic preemptions it would be tantamount to just handing over our programming rights to the networks. During my many years working for affiliated stations the networks have repeatedly tried to 1) force programming on stations or 2) take from local stations what traditionally is "local" time, time that stations use to remain economically viable. The federal rules are the only means some stations, especially small market stations, have to fight back. In years past small market affiliates could count on our big brothers in the large markets to lead the charge, but now, with many more large markets being owned by the networks, we no longer have that support.

In summary, the right by Federal rule of a local station to reject network programming is a right given to guarantee that local stations continue to be autonomous, offer diverse programming in the local interest, and remain economically viable. On behalf of this station and as a member of the CBS Affiliate Board I plead with you and your colleagues to retain this rule.

Sincerely,